

20. (Amended) The chewing gum composition of Claim 19 wherein the average sweetness intensity loss rate is less than 0.15 intensity units per minute.

21. (Amended) A chewing gum composition comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, wherein a flavor is present in an amount effective to produce a full-flavored chewing gum composition and wherein between 4 and 20 minutes chewing time, the average flavor intensity loss rate is less than 0.1 intensity units per minute.

22. (Amended) The chewing gum composition of Claim 21 wherein an amount of flavor is used which is at least 50% less than the amount of flavor in a full-flavored chewing gum composition, whereby a level of flavor intensity comparable to a full-flavored chewing gum composition is maintained.

23. (Twice Amended) A chewing gum composition comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, said composition further comprising a rapid release sweetener selected from the group consisting of sucrose, mannitol, fructose, high fructose corn syrup, sorbitol, dextrose, corn syrup solids, hydrogenated starch hydrolysates, invert sugar, fructose, xylitol, and combinations thereof.

24. The chewing gum composition according to Claim 23, wherein the rapid release sweetener has a sweetness intensity maximum within the first 2 minutes of chewing.

REMARKS

Claims 19-25 stand rejected under 35 USC 103(a) as unpatentable over U.S. Patent No. 5480668. Applicant has canceled Claim 25 and amended Claim 23 to include the limitations of Claim 25.

Applicant previously submitted the declaration under 37 CFR 1.132 of Glenn Corliss, one of The NutraSweet Company's senior scientists. Applicant respectfully requests that the Examiner reconsider the Declaration as providing evidence sufficient to place the claims in condition for allowance.

Applicant respectfully requests a three month extension of time to file this preliminary amendment. Please deduct the extension fee and any other necessary fees from Deposit Account 14-1451.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey M. Hoster", written in a cursive style.

Jeffrey M. Hoster

Attorney for Applicant—The NutraSweet Company

Registration No. 32,240

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Amended Claims—Marked Up Version

19. (Amended) A chewing gum composition comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, wherein between 6 and 10 minutes of chewing time, the average sweetness intensity loss rate is less than 0.3 intensity units per minute.

20. (Amended) The chewing gum composition of Claim 19 wherein the average sweetness intensity loss rate is less than 0.15 intensity units per minute.

21. (Amended) A chewing gum composition comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, wherein a flavor is present in an amount effective to produce a full-flavored chewing gum composition and wherein between 4 and 20 minutes chewing time, the average flavor intensity loss rate is less than 0.1 intensity units per minute.

22. (Amended) The chewing gum composition of Claim 21 wherein an amount of flavor is used which is at least 50% less than the amount of flavor in a full-flavored chewing gum composition, whereby a level of flavor intensity comparable to a full-flavored chewing gum composition is maintained.

23. (Amended) A chewing gum composition comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine 1-methyl ester in an amount effective to sweeten said chewing gum composition, said composition further comprising a rapid release sweetener selected from the group consisting of sucrose, mannitol, fructose, high fructose corn syrup, sorbitol, dextrose, corn syrup solids, hydrogenated starch hydrolysates, invert sugar, fructose, xylitol, and combinations thereof.